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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/803,888

03/19/2004

Claire Bazin

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23373

7590

09/11/2006

EXAMINER

FERGUSON, KEITH

SUGHRUE MION, PLLC
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SUITE 800
WASHINGTON, DC 20037

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/803,888	Applicant(s) BAZIN ET AL.	
	Examiner Keith T. Ferguson	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2617

DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Response to Arguments

2. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Response to Amendment

3. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Art Unit: 2617

5. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doi et al. in view of Rune, newly recited reference.

Regarding claims 1,4 and 5, Doi et al. discloses a telecommunication method for a wireless network (fig. 3) comprising: providing a location server (fig. 1 number 19 and paragraph 0046) and a location based application (location dependent service provider) (fig. 1 number 22) that provides location services (such as advertisements or coupon for tourist) for the wireless network (paragraph 0041 and paragraph 0046), requesting a location reporting service by the location based application from the location server (paragraph 0046), detecting when a wireless mobile telecommunication device fulfills a location condition (i.e. when the mobile is located in a certain area, the location provider server provides local advertisement information to mobile terminal) (paragraph 0050, paragraph 0053, paragraph 0054 lines 1-6), assigning a temporary identifier to the wireless mobile telecommunication device by the location server (paragraph 0050, paragraph 0053 and paragraph 0055), providing of the temporary identifier to the location based application (paragraph 0050, paragraph 0053 and paragraph 0055). Doi et al. differs from claims 1 and 4 of the present invention in that it does not explicit disclose assigning a temporary identifier to the wireless mobile device by a location server if it is detected that the wireless mobile telecommunication device fulfills a location condition. Rune teaches a mobile serving node (MSN) provides a temporary ID to a mobile device if a mobile device registers within a uniqueness area and upon entering the location of an uniqueness area (fulfills a location condition)(abstract and col. 5 lines 50-63). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Doi et al. with assigning a temporary identifier to the wireless mobile device by the location server if it is detected that the wireless mobile telecommunication device fulfills a location in order for the network to provide subscriber identity confidentiality to the mobile terminal so that unauthorized advertisement merchants can not determine the mobile station identity when the mobile terminal receives authorized localized advertisements from authorized merchants, as taught by Rune.

Art Unit: 2617

Regarding claims 2 and 7, Doi et al. discloses storing of a mobile subscriber identifier for the wireless mobile telecommunication device and the temporary identifier by the location server (paragraph 0046 through paragraph 0047).

Regarding claim 3, Doi et al. discloses requesting of the transmission of user data by the location-based application, whereby the temporary identifier is comprised in the request (paragraph 0047).

Regarding claim 6, Doi et al. discloses a location server (wireless gateway) (fig. 1 number 19 and paragraph 0046) for a wireless network (fig. 1) comprising means for receiving of a request for a location reporting service from a location based application, means for detecting when a wireless mobile telecommunication device fulfils a location condition (paragraph 0050, paragraph 0053 and paragraph 0055), means for assigning a temporary identifier to the wireless mobile telecommunication device (paragraph 0050, paragraph 0053 and paragraph 0055), means for providing of the temporary identifier to the location based Application (paragraph 0050, paragraph 0053 and paragraph 0055), means for receiving of a request to transmit user data from the location based application, whereby the request indicates the temporary identifier (paragraph 0050, paragraph 0053 and paragraph 0055). Doi et al. differs from claim 6 of the present invention in that it does not explicit disclose assigning a temporary identifier to the wireless mobile device by the location server if it is detected that the wireless mobile telecommunication device fulfils a location condition. Rune teaches a mobile serving node (MSN) provides a temporary ID to a mobile device if a mobile device registers within a uniqueness area and upon entering the location of an uniqueness area (fulfills a location condition) (abstract and col. 5 lines 50-63). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

Art Unit: 2617

modify Doi et al. with assigning a temporary identifier to the wireless mobile device by the location server if it is detected that the wireless mobile telecommunication device fulfills a location in order for the gateway server within the wireless network to provide subscriber identity confidentiality to the mobile terminal so that unauthorized advertisement merchants can not determine the mobile station identity when the mobile terminal receives authorized localized advertisements from authorized merchants, as taught by Rune.

Regarding claims 8 and 9, Doi et al. discloses location based application server (fig. 1 number 22 and paragraph 0046) for a wireless network having a location server (fig. 1 number 19 and paragraph 0046), the location based application server comprising: means for requesting a location reporting service from the location server (paragraph 0050, paragraph 0053 and paragraph 0055), means for receiving of a temporary identifier of a wireless mobile telecommunication device which has fulfilled a location condition from the location server (paragraph 0050, paragraph 0053 and paragraph 0055), means for requesting the transmission of user data to the wireless mobile telecommunication device on the basis of the temporary identifier (paragraph 0050, paragraph 0053 and paragraph 0055).

Regarding claim 10, Doi et al. discloses a telecommunication system (fig. 1) comprising: a wireless network

Art Unit: 2617

(fig. 1), a location server being coupled to the wireless network (fig. 1 number 19), means for receiving of a request for a location reporting service from a location based application by the location server (paragraph 0050, paragraph 0053 and paragraph 0055), means for detecting when a wireless mobile telecommunication device fulfils a location condition (paragraph 0050, paragraph 0053 and paragraph 0055), means for assigning a temporary identifier to the wireless mobile telecommunication device (paragraph 0050, paragraph 0053 and paragraph 0055), means for providing of the temporary identifier to the location based application (paragraph 0050, paragraph 0053 and paragraph 0055), means for receiving of a request to transmit user data from the location based application (paragraph 0050, paragraph 0053 and paragraph 0055), whereby the request indicates the temporary identifier (paragraph 0050, paragraph 0053 and paragraph 0055). Doi et al. differs from claim 10 of the present invention in that it does not explicit disclose assigning a temporary identifier to the wireless mobile device by the location server if it is detected that the wireless mobile telecommunication device fulfills a location condition. Rune teaches a mobile serving node (MSN) provides a temporary ID to a mobile device if a mobile device registers within a uniqueness area and upon entering the location of an uniqueness

Art Unit: 2617

area (fulfills a location condition) (abstract and col. 5 lines 50-63). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Doi et al. with assigning a temporary identifier to the wireless mobile device by the location server if it is detected that the wireless mobile telecommunication device fulfills a location in order for the wireless network to provide subscriber identity confidentiality to the mobile terminal so that unauthorized advertisement merchants can not determine the mobile station identity when the mobile terminal receives authorized localized advertisements from authorized merchants, as taught by Rune.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (571) 272-7865. The examiner can normally be reached on 6:30am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson
Art Unit 2617
August 29, 2006

KEITH FERGUSON
PRIMARY EXAMINER

